



JPW

PATENT  
Customer No. 22,852  
Attorney Docket No. 02860.0637-06

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Norikazu ARAI et al.	)	Group Art Unit: 2653
	)	
Application No.: 10/743,110	)	Examiner: Kim-Kwok Chu
	)	
Filed: December 23, 2003	)	
	)	
For: OPTICAL PICKUP APPARATUS,	)	Confirmation No.: 8016
RECORDING/REPRODUCING	)	
APPARATUS PROVIDED WITH	)	
THE OPTICAL PICKUP	)	
APPARATUS, OPTICAL	)	
ELEMENT, AND INFORMATION	)	
RECORDING/REPRODUCING	)	
METHOD	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for this application after the filing of a Request for Continued Examination.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed. A copy of a communication from the European Patent Office dated March 31, 2006, in a corresponding application is also attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

An English Abstract of Japanese Patent Publication No. H09-073654 is enclosed and is also cited in the European Search Report.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

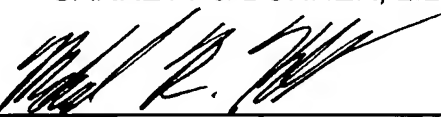
Applicants further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

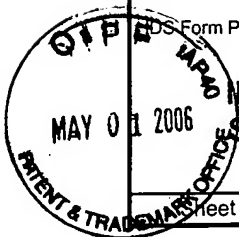
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 1, 2006

By:   
\_\_\_\_\_  
Michael R. Kelly  
Reg. No. 33,921



US Form PTO/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/743,110
Filing Date	December 23, 2003
First Named Inventor	Norikazu ARAI et al.
Art Unit	2653
Examiner Name	Not Yet Assigned
Attorney Docket Number	02860.0637-06000

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,950,384	09-2005	Arai et al.	
		US-6,222,812	04-2001	Yoo et al.	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.****FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>5</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP 0 789 355 A1	08-13-1997	Tachibana et al.		
		EP 0 836 178 A1	04-15-1998	Komma et al.		
		JP 09-073654	03-18-1997	Katayama		Abstract
		EP 0 774 751 A2	05-21-1997	Akiyama		
		WO 97/08691	03-06-1997	Lee et al.		
		EP 1 109 164 A2	06-05-1996	Katayama		
		EP 0 991 062 A1	04-05-2000	Ando et al.		
		EP 0 936 604 A1	08-18-1999	Kajiyama et al.		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.